

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: SIOUX CENTER MUNICIPAL UTILITIES and NORTH WEST RURAL ELECTRIC COOPERATIVE	DOCKET NO. SPU-01-13
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**ORDER GRANTING PETITION FOR MODIFICATION
OF SERVICE AREA BOUNDARIES**

(Issued October 19, 2001)

On September 6, 2001, Sioux Center Municipal Utilities (Sioux Center) and North West Rural Electric Cooperative (North West) filed a joint petition for modification of electric service area boundaries pursuant to 199 IAC 20.3(9). A service area agreement between Sioux Center and North West is attached to the petition. No objections to the petition were filed.

Sioux Center and North West request the Board transfer from North West to Sioux Center the following parcel of land in Sioux County, described as follows:

The NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 33, Township
96 North, Range 45 West of the 5th P.M., City of Sioux
Center, Sioux County, Iowa.

In support of the petition, Sioux Center and North West state that the parcel is currently owned by the city of Sioux Center. The petition further states the city

intends to transfer the parcel to the Sioux Center Land Development Corporation for development of low and moderate-income housing. Sioux Center has agreed to pay North West a sum of \$30,000 upon transfer of the service territory from North West to Sioux Center. There are no current customers in the parcel to be transferred.

Iowa Code § 476.25 (2001) provides in pertinent part:

Contracts between electric utilities to designate service areas and customers to be served by the electric utility or for the exchange of customers between electric utilities, when approved by the board, shall be valid and enforceable and shall be incorporated into the appropriate exclusive service areas established pursuant to subsection 1 of this section. The board shall approve a contract if it finds that the contract will eliminate or avoid unnecessary duplication of facilities, will provide adequate electric service to all areas and customers affected, will promote the efficient and economical use and development of the electric systems of the contracting electric utilities, and is in the public interest.

The Board will grant the Sioux Center and North West joint petition for modification of service area boundaries. Sioux Center and North West have alleged facts which establish the proposed modification is in the public interest, will prevent unnecessary duplication of facilities, provide adequate electric service to all customers affected, and will promote the efficient and economical use of electrical systems, pursuant to Iowa Code § 476.25.

IT IS THEREFORE ORDERED:

The joint petition for modification of electric service area boundaries filed by Sioux Center Municipal Utilities and North West Rural Electric Cooperative on September 6, 2001, is granted, subject to complaint or investigation.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Diane Munns

ATTEST:

/s/ Sharon Mayer
Executive Secretary, Asst. to

/s/ Mark O. Lambert

Dated at Des Moines, Iowa, this 19th day of October, 2001.